

MARK J. BENNETT 2672
Attorney General of Hawai'i

JAMES E. HALVORSON 5457
NELSON Y. NABETA 3004
Deputy Attorneys General
Department of the Attorney
General, State of Hawai'i
235 S. Beretania Street, 15th Floor
Honolulu, Hawai'i 96813
Telephone: (808) 587-2900
Facsimile: (808) 587-2965

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

ROBERT SHEREZ,

Plaintiff,

vs.

STATE OF HAWAII, DEPARTMENT
OF EDUCATION; PATRICIA
HAMAMOTO, Superintendent of
Hawai'i Schools; MEREDITH
MAEDA, Principal, Castle High
School; SARA GRONNER or
GRONNA, Vice Principal of Castle
High School,

Defendants.

Civil No. 04-00390 JMS/KSC

DEFENDANT STATE OF HAWAII,
DEPARTMENT OF EDUCATION'S
MOTION IN LIMINE TO PRECLUDE
THE INTRODUCTION OF
EVIDENCE REGARDING MATTERS
NOT PLED IN THE CHARGE OF
DISCRIMINATION BEFORE THE
HAWAII CIVIL RIGHTS
COMMISSION; MEMORANDUM IN
SUPPORT OF MOTION;
DECLARATION OF NELSON Y.
NABETA; EXHIBIT "A";
CERTIFICATE OF SERVICE

Trial: March 28, 2007

Judge: The Honorable

J. MICHAEL SEABRIGHT

DEFENDANT STATE OF HAWAI'I, DEPARTMENT OF EDUCATION' S
MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF EVIDENCE
REGARDING MATTERS NOT PLED IN THE CHARGE OF
DISCRIMINATION BEFORE THE HAWAII CIVIL RIGHTS COMMISSION

COMES NOW, Defendant STATE OF HAWAI'I, DEPARTMENT OF
EDUCATION, and in their official capacities, PATRICIA HAMAMOTO,
MEREDITH MAEDA AND SARAH GRONNA (hereinafter referred to
collectively as "Defendant DEPARTMENT OF EDUCATION" unless specifically
referred to as "Defendant STATE OF HAWAI'I, DEPARTMENT OF
EDUCATION" or "Defendant HAMAMOTO" or "Defendant MAEDA" or
"Defendant GRONNA"), by and through their attorneys, Mark J. Bennett,
Attorney General, and James E. Halvorson and Nelson Y. Nabeta, Deputy
Attorneys General, hereby moves this Court for an order prohibiting Plaintiff from
introducing evidence as to matters not pled before the Plaintiff's charge of
discrimination and retaliation.

This motion is made pursuant to the Court's Second Amended Rule 16
Scheduling Order filed on February 22, 2007, Rule 7 of the Federal Rules of Civil
Procedure, and Rules 7.1 and 16.9 of the Local Rules of Practice for the United
States District Court for the District of Hawai'i, and is based upon the
accompanying supportive memorandum and the records and files herein.

DATED: Honolulu, Hawaii, March 7, 2007.

/s/ NELSON Y. NABETA

NELSON Y. NABETA
Deputy Attorney General

Attorney for Defendants